

PLANNING COMMISSION MEETING

The meeting was called to order at 7:06 p.m.

ROLL CALL

Kate Christopher Gretchen Dudney Dan Schroder
Dave Pringle

There was no Town Council member present and Jack Wolfe and Trip Butler were absent.

APPROVAL OF MINUTES

Mr. Pringle: Understands the benefit of carbon footprint; not sure what the context of the content was. On page 5: “I am wary”, not “weary”.

With one change, the May 17, 2011 Planning Commission meeting minutes were approved unanimously (4-0).

APPROVAL OF AGENDA

Mr. Neubecker wanted to present possible planning commission field trip dates and discuss Town Council representative. The Dabl House shed was removed from agenda at the request of the applicant.

With two changes, the June 7, 2011 Planning Commission meeting agenda was approved unanimously (4-0).

CONSENT CALENDAR:

1. Jumonville Residence (JP) PC#2011028; 411 Long Ridge Drive

Mr. Pringle: Question about site plans and the way north is printed on the pages. I want it to be spelled out more or consistent so people are more aware of the layout. North arrow should always point up on the plans. (Mr. Neubecker: The planner should keep an eye on it and talk to the architect.)

2. Timbernest Residing (MGT) PC#2011034; 760 Columbine Road

Mr. Pringle: Questioned Mr. Thompson about the chimneys. (Mr. Thompson: They will be doing 3 of the chimneys in stone and the rest will remain wood.) Suggest they do all of them in the same stone material for a consistent look. (Mr. Dan Goltzman, Agent: It is a matter of cost and not all of the chimneys are the same. Some do not go to the ground.) Is there a certain amount of natural material needed on each chimney? (Mr. Neubecker: It isn't in the Code for a specific amount; it is up to Commission to decide if it meets the Code.)

Mr. Pringle made a motion to call up the Timbernest Residing, PC#2011034, 760 Columbine Road. Ms. Dudney seconded, and the motion was carried unanimously (4-0).

Commissioner Questions / Comments:

Ms. Dudney: Is it a matter of the code for us to be able to tell them to use stone on all of the chimneys?

Mr. Schroder: He sees that it is meeting the Code even if they are on every other chimney. It meets the code that we set before. (Ms. Dudney: It meets the Code language we set prior.)

Ms. Christopher: We are setting a precedent for buildings like this. Asked Mr. Goltzman about the elevation of each chimney and how it would look from the opposite side with 30% of the chimneys in stone. Disappointed that we only have a west elevation, because we can't make a decision without all of them.

Mr. Thompson presented the project and the materials (which include primarily Hardy Plank siding); exterior material used will comply with new code set in place; accents/natural stone base which is compatible with this policy (no negative points were assigned prior when it was approved).

Mr. Schroder: Policy stated that natural materials are a part of accent group; would these be in all the decks as well as the chimneys?

Mr. Pringle: How many chimneys go to the ground on this project? (Mr. Goltzman: Three do not.) Four chimneys that disappear on that third level. (Mr. Goltzman: They are all the same height.) Ten chimneys on building, three will have stone, other three that are identical won't, and the others are partial chimneys. Preference would be all chimneys look the same and believes that it isn't much more to ask for size of project. Wants

to make note for later about modifications to wording of the code and natural materials; feels it is important to set precedent on decision for future projects.

Ms. Christopher: It would be nice to see stone on all the chimneys, but it does satisfy what we have written prior.

Mr. Schroder opened the hearing to public comment. There was no public comment and the hearing was closed.

Commissioner Questions / Comments:

Ms. Dudney: Final Comments: Commends applicant for design changes; finds that it meets the Code based on the materials used.

Ms. Christopher: Agree with Mr. Pringle about the consistent look but as the Code stands; it meets the Code with no percentage requirement.

Mr. Schroder: Concurs with Mr. Pringle and Ms. Christopher comments about consistency. From the codes perspective I support the project.

Mr. Pringle made a motion to change the point analysis for the Timbernest Residing, PC#2011034, 760 Columbine Road, from zero (0) to negative three (-3) points under policy 5/R (Architectural Compatibility). Ms. Christopher seconded. The motion failed with a tie vote (2-2) because there was no majority.

Ms. Dudney made a motion regarding the Timbernest Residing, PC#2011034, 760 Columbine Road, to remove a note on the plan that stone is optional on the other chimneys, and to add a condition of approval that all the chimneys on the plan shown in stone must be built with natural stone. Mr. Schroder seconded and the motion was carried unanimously (4-0).

Ms. Dudney made a motion to approve the Timbernest Residing, PC#2011034, 760 Columbine Road, including the presented findings and conditions. Mr. Schroder seconded, and the motion was carried unanimously (4-0).

With no other requests for call up, the remainder of the consent calendar was approved unanimously (4-0).

FINAL HEARINGS:

1. Palomo Building (MM) PC#2011021; 105 North Main Street

Mr. Mosher presented a proposal to perform minor alterations to the non-historic portion of the building, restore two historic openings on the historic portion of the building, locally landmark the historic portion of the building, add a full basement beneath the historic portion of the building and add a deli use and residential use to the existing full commercial use.

Changes since the May 3, 2011 Meeting

1. The rear deck with the access stair on the south side of the building was selected as the preferred option.
2. Minor interior modifications.
3. A landscaping plan is included.
4. No other significant changes are shown on the drawings.
5. Landmarking Criteria are in the Findings and Conditions.

For the restoration efforts, staff suggests the Planning Commission recommends that the Town Council adopt an ordinance to Landmark the historic structure based on proposed restoration efforts and the fulfillment of criteria for architectural significance as stated in Section 9-11-4 of the Landmarking Ordinance.

Staff recommends approval of The Palomo Building Restoration and Landmarking, (PC#2011021), by supporting the Point Analysis that reflects a passing score of positive one (+1) point, and approve the proposal with the attached Findings and Conditions.

Applicant, Mr. Jeff Palomo:

Commissioner Questions / Comments:

Mr. Pringle: Once we make a motion to approve this project, finding number 7 is already recommending landmarking. Do we need a separate recommendation for Council? (Mr. Neubecker: Yes, we would like to have it on the record, since the findings and conditions are not sent to the Town Council.) (Mr. Mosher: The applicant has been anxious to begin this process over the last few weeks. But, he has made lot of thoughtful changes during this time to the interior to make it better.)

Mr. Schroder opened the hearing to Public Comment. There was no Public Comment and the hearing was closed.

Mr. Pringle made a motion to approve the point analysis for the Palomo Building, PC#2011021, 105 North Main Street. Mr. Schroder seconded, and the motion was carried unanimously (4-0).

Mr. Pringle made a motion to approve the Palomo Building, PC#2011021, 105 North Main Street, with the presented findings and conditions. Mr. Schroder seconded, and the motion was carried unanimously (4-0). *Special attention to Town Council of number 7 criteria.

Mr. Pringle made a motion to recommend that the Town Council approve an ordinance approving a local land marking for the Palomo building. Mr. Schroder seconded, and the motion was carried unanimously (4-0).

TOWN COUNCIL REPORT:

There was no Town Council member present, and therefore no Town Council report.

WORKSESSIONS:

1. SustainableBreck Action Item (MT)

Mr. Truckey presented. Staff last updated the Planning Commission on the SustainableBreck project at the commission's May 3 meeting. On May 11, a public open house was held on the proposed actions and monitoring for SustainableBreck. The open house was well attended, with some 55 community participants. Staff has attached the summary results of the open house for your review. Although there were a few dissenting opinions, the vast majority of comments were in support of the direction the Town was heading with the SustainableBreck project, including the proposed actions and monitoring items.

The Planning Commission had a number of suggestions on the Plan at the May meeting:

- The text associated with the action regarding installation of solar panels on Town facilities has been modified to note that they will be installed in "appropriate locations" and that the placement would be based on an evaluation of aesthetic impacts, etc. to adjoining properties.
- The solar garden action has been modified to focus on "exploring the feasibility" of establishing a solar garden.
- A long-term action item has been added regarding exploring marketing partnership opportunities with the Breckenridge Ski Resort.
- The action item regarding locating higher density housing near transit routes has been altered to focus on areas appropriate for such housing, such as Block 11.
- The idea of merging transit systems with the ski resort is included in one of the transportation actions.

The SustainableBreck Plan will be going before the Town Council for potential adoption on June 28. The Plan is being adopted in a process similar to that used to adopt the Town's Comprehensive Plan. This requires a recommendation from the Planning Commission that is forwarded to the Town Council. The Planning Commission should ask any questions they have of staff, provide an opportunity for public comment, followed by commissioner discussion. The Planning Commission will then be asked to take formal action to make a recommendation to the Town Council regarding adoption of the Plan. This will be done by taking action to adopt a resolution, which will serve as the formal recommendation to the Town Council.

Commissioner Questions / Comments:

Ms. Dudley: Question about Page 43 of the packet; it appears some people did not feel we were on the right track regarding forest health. (Mr. Truckey: It is difficult to determine exactly what concerns they had, as the individual comments received did not have any common theme. There could be some lingering discontent with defensible space or just an overall frustration with the devastation left by the pine beetle.) On page 64 made note about last meeting potential development code changes to facilitate more energy conservation in older multi-family buildings. (Mr. Truckey: The previous page addresses this by identifying Code amendments, an example being the new Energy policy that was recently adopted.) Question about water conservation (pg. 77); incentives for low-flow fixtures, does that come under the

- point analysis? What are the incentives for low flow fixtures; do we have them? (Mr. Grosshuesch: Building code requires low flow fixtures—not an incentive; it is a regulation.)
- Mr. Pringle: Commented on gray water usage. (Mr. Neubecker: Our water rights are fully consumptive, so grey water use could be allowed. But there are health regulations that would have to be dealt with. You could potentially use it for irrigation.) (Ms. Christopher: Can this only be used on public lands or could it be used residentially in the future?) (Mr. Neubecker: It is a health issue; the water has to be introduced at different levels below grade.) It seems like a difficult action to implement. (Mr. Grosshuesch: They do not mix the potable water with the reused water; it is an extremely complicated process and is a long-term action that would have to be worked toward, specifically used with public properties.) (Mr. Truckey: We would attempt this on a public land scale first before considering for residential settings.)
- Mr. Schroder: Referring to page 59 of packet, recreation and open space as an example; the breakout group responses seem to be low compared to survey; was this because of the response number? (Mr. Truckey: When printed in color the breakout groups are easier to read. There was a different sample size and the breakout group total responses were typically much smaller than the overall results received through the survey. However, the results from the survey seemed consistent with results from the breakout groups.) On page 60: people were not very supportive of defensible space; but extremely responsive to pine beetle mitigation. (Mr. Truckey: This is partly due to the limited opportunities we had to educate the public on all these issues, but there were certainly some folks who did not support defensible space.)
- Mr. Pringle: Question brought up regarding the long-term Transportation action to prioritize denser housing along transit routes. Shouldn't we instead focus adjusting our transit routes to where the density is located? (Mr. Truckey: Intent is to provide transit where the housing is located (or planned), not necessarily where the transit route exists today.)
- Mr. Schroder: All actions are a give and take in the big scheme of things.
- Mr. Pringle: Concern about exempt status given to individuals on bicycles when there are universal rules of the road; rolling-stops and bikes; who holds the liability? We have validated in the TOB that no matter what your mode of transportation, stop means stop. (Mr. Grosshuesch: There are not a lot of bike accidents, it works in other cities; might as well make it legal.) Why did we validate that behavior?
- Mr. Schroder: Recommends approval of resolution recommending adoption of the SustainableBreck Plan.

Mr. Schroder opened the hearing to Public Comment. There was no Public Comment and the hearing was closed.

Mr. Pringle made a motion to recommend the adoption of the “SustainableBreck Plan, June 2011”. Ms. Christopher seconded, and the motion was carried unanimously (4-0).

2. Transition Area Standards (MM)

Mr. Mosher presented. Over the past year, Planning Staff presented detailed individual reviews of the un-adopted “Handbook of Design Standards for the Transition Character Areas of the Conservation District”. The goal is to formally adopt these standards in the coming months. The final draft (excluding some graphics) was presented for Commission review.

Next, Staff will begin the public process. Staff noted that all the reviews of these standards were conducted as Worksessions with no public notice except the newspaper. The public will be notified via an advertisement in the local newspapers and posted on the Town’s website.

Staff also suggested an ‘Open House’ for an opportunity for the public to meet with Staff to review the Transition Standards and the possible impacts to properties within the boundary. Staff will have maps of each Transition Area and the associated design criteria to share with concerned property owners. Comments would be taken from the open house, letters, and e-mails (via the posting on the Town’s website).

Any substantial changes or concerns would then be presented to the Planning Commission. After this process, Staff will begin the process of adoption of “Handbook of Design Standards for the Transition Areas of the Conservation District” with the Town Council.

Staff welcomed any additional comments.

Commissioner Questions / Comments:

- Mr. Schroder: Brought up the prospect of adding photographs. (Mr. Mosher: Looking to take some new updated photos now that it isn't winter.)
- Ms. Dudney: Has general questions: Why does the overall Conservation District not extend to Park Avenue, especially since all that open ground is so critical and it has an impact on the Town? (Mr. Mosher: The transition (to the west) is already established and works as a 'transition' to the larger buildings across Park Avenue; we have the developments responding to the edge transition areas (ski area master plan in back lots).) When we review plans to the east of Park Avenue, will it be its own plan with regards to recommendations towards transition areas? (Mr. Mosher: Existing codes, Policies 2, Land Use and 5, Architectural Compatibility, etc. will help maintain a smooth transition with scale and mass.) The role of Commissioners is tying everything back to code. Design standard 272: exterior split level design has weak wordage: "strongly" is too vague. How is "strongly discouraged" an absolute policy? (Mr. Grosshuesch: Doesn't say its prohibited because there are interpretations to applications; as a general rule, the Commission in the past has struggled over the years with certain aspects of the code; there is always something later that when we write these rules that we can't imagine. Flexibility now is a good thing.) 290, Design Standards: Using stone and wood as the dominant materials in a new building. Example of stucco could be used as a foundation but not as a primary, wondering why we even talked about stone as a foundation because it wasn't required in the historical district. (Mr. Mosher: We relaxed design criteria a little bit. Example was use of stucco and stone in a window well. Most historic structures that had foundations were made of stone.) Materials used in the period; nowhere does it say that stone has to be used. Extremely subjective if it is not required in code; up to the Commission and staff for interpretation. (Mr. Mosher: There are design standards that address like materials used in the District.) (Mr. Grosshuesch: The judgment the Commission needs is to be in "substantial compliance with the policies" with collective judgment. Policy 5/R.) (Mr. Mosher: Staff has put this as a high priority in order to get feedback and effort to complete this process and codify.)
- Mr. Schroder: Referring to the map, I had a hard time finding the National Register Historic District Boundary. (Mr. Mosher: You can see "railroad tie" looking line are placed on-top of other boundary. We will get them off set to be easier to read.) (Mr. Neubecker: Helpful for staff to see them on there.) It is a good anchor to understand.) (Mr. Mosher: Will look into getting key buildings identified on the map so it is easier to locate where boundaries are.)
- Mr. Pringle: Question on page 3: Transition character areas; descriptive narrative. If the general Transition Areas standards all have to comply with these absolute priority policies, then why is there often slightly different standards in the individual Character Area standards? (Mr. Mosher: Should it be more detailed or softer language?) Example: Windows (Design Standard 273, 274). (Mr. Neubecker: Are you saying they are in conflict?) Which one takes precedent? When you get into specific character areas which design standards take precedent? Seems that transition areas have different conflicts. (Mr. Mosher: There are exceptions; the specific character areas are more definitive than the general standards, there is a hierarchy. Staff will review for conflict.)
- Ms. Dudney: Priority 273 applies to everything: width should seem similar to those in historic; 317, the second bullet, are these two a contradiction? (Mr. Neubecker: We shouldn't use the language "shall"; general standards apply to all properties but when you get into specific areas, there will be more detail for specific standard within an area.) Would 317 have priority over 273? (Mr. Neubecker: Commission will have to determine which is a more important character.)
- Mr. Pringle: Priority policies should be met otherwise you are not in absolute. (Mr. Neubecker: Suggest changing language in the general design standards to be more specific per character area; we could say that standards apply to all areas unless greater detail is provided in specific area. We don't want to repeat the general language in every character area.) We don't want to be in conflict in specific transition areas with regular standards.) (Mr. Neubecker: Specific area policies would surpass general policies.)

Mr. Schroder opened the hearing to Public Comment. There was no Public Comment and the hearing was closed.

OTHER MATTERS:

- Mr. Neubecker: 1) Town Council member update: Mark Burke brought up concerns about not being eligible to vote in call-up hearings. Council decided to go with a citizen who was appointed to the Commission. Four people have applied; interviews are the following week, next Tuesday. If Council feels none of them are qualified, they will send a representative from the Town Council. In theory they will be at the next meeting.

2) Planners Summer Camp is this week in Denver; it is a mini-conference so if you are interested let me know. Interested in picking a date for the Planning Commission field trip (September/October; Thursday/Friday) and also a day to walk around Breckenridge together; one-day field experience. (Mr. Schroder: Late July?) (Ms. Christopher: Monday and Tuesdays are my days off, so would need advance notice to block out schedule on another day.) (Mr. Pringle: End of the week works best for me (Wed, Thur, Fri); will be gone on weekends.)

ADJOURNMENT:

The meeting was adjourned at 8:50 p.m.

Dan Schroder, Vice Chair